



2074 Park Street, Suite L
Hartford, CT 06106

Good morning Senator Slossberg and Representative Spallone and members of the Government Administration and Elections Committee. My name is Andrew Schneider, I am Executive Director of the ACLU of Connecticut and I am here to express our view that Raised Bills 5021 and 5022 make significant strides towards correcting the constitutional flaws in the Campaign Finance Reform Act (CFRA) but do not go far enough.

Our position has been that the state should adopt a party neutral system along the lines of the Maine and Arizona public financing laws, meaning that any ballot qualified candidate who raises the required amount of money in qualifying contributions should be entitled to participate in the public financing program on equal terms. The qualifying contribution requirement will filter out candidates that cannot demonstrate some broad based support. There is no need to overlay additional qualification requirements on minor party candidates.

Any fix of the state campaign finance law ought to include eliminating the trigger provisions. We oppose these provisions on the grounds that they burden the speech of non-participating candidates and independent speakers by creating a disincentive for non-participating candidates and independent groups to spend money in political races because the money they spend will merely trigger more public resources for the major party candidates. Two federal district courts, one in Connecticut and one in Arizona, have now held that these types of trigger provisions violate the First Amendment.

Finally, while the public financing portion of this law has the noble goal of increasing the ability of more people to participate in the democratic process, the provisions which restrict the political activities of lobbyists, state contractors and their spouses and dependent children does just the opposite and should be removed from the statute. These restrictions infringe on basic speech and association rights by making it a felony punishable by fine and imprisonment for a lobbyist or state contractor who makes an express or implied request for a contribution, requests or suggests that someone attend a fundraising event, distributes or forwards fundraising announcements, attends any fundraising events themselves, serves in certain capacities within any of the covered candidate, party and political committees or provides those committees with any fundraising advice. The result is that particular speakers are singled out and their ability to participate in the debate over the qualification of candidates is limited. When the government limits the flow of information by banning certain speakers from participating

in the debate, our democratic process is stifled. We believe the recent United States Supreme Court ruling in *Citizens United*, which invalidated restrictions on corporate expenditures, increases the likelihood that the Second Circuit will strike down this statute.

Campaign finance reform does not have to be at odds with the First Amendment. If all these changes are made to the existing law, the people of Connecticut will benefit by a having a more fair and effective reform of the political system without sacrificing First Amendment rights.